



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,396	01/10/2002	Angela M. Petroskey	AMP 0101 PUS	4654

7590

04/26/2005

Artz & Artz, P.C.
Ste. 250
28333 Telegraph Road
Southfield, MI 48304

EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED: 04/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 3711

NOTICE OF NON-COMPLIANCE TO RCE FILING

Receipt is acknowledged of a Request for Continued Examination (RCE) practice under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on 14 March 2005. The submission, however, is not fully responsive to the prior Office action because (*see MPEP 706.07(h)*) 35 USC 132(a) provides that "no amendment shall introduce new matter into the disclosure of the invention." Any amendment entered pursuant to 37 CFR 1.114 that is determined to contain new matter should be treated in the same manner that a reply under 37 CFR 1.111 determined to contain new matter is currently treated. See MPEP § 706.03(o). [The newly added limitation in paragraphs [0021.2, beginning at "The hand attachment portion 22 is sized ... and ending with position on the device 10 and 0021.3 through 0021.6]. In those instances in which an application seeks to add new matter to the disclosure of an application, the procedure in 37 CFR 1.114 is not available, and the applicant must file a continuation-in-part application under 37 CFR 1.53(b) containing such new matter. In addition as 35 USC 132(b) and 37 CFR 1.114 provide continued examination of an application (and not examination of a continuing application), the applicant cannot file an RCE to obtain continued examination on the basis of claims that are independent and distinct from the claims previously claimed and examined as matter of right (i.e., applicant cannot switch inventions) see 37 CFR 1.145.

Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete and proper reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR-1.136(a).

Note: A RCE is not the filing of an application, but merely the continuation of prosecution in the current application. After the mailing of a RCE, such application is treated as an amended application by the examiner and is subject to a short turnover time.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Aryanpour whose telephone number is 571-272-4405. The examiner can normally be reached on Monday - Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on 571-272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MA
08 April 2005


MITRA ARYANPOUR
PRIMARY EXAMINER